

December 16, 2001

Sector 4

Inventor Name: Inventor Residence and Correspondence Address:	Russell Patton Davis 613 Mango Dr., Virginia Beach, VA 23452
Invention:	AN INTEGRATED SYSTEM FOR SHELLFISH PRODUCTION: Encompassing Hatchery, Nursery, Grow-out, Brood-stock Conditioning and Market Conditioning Phases; also Water Treatment, Food Supplement, Propulsion, Anchoring, Security, and Devices for the Integration of Neighborhood Values and Shellfish Production.
Provisional Application:	JUNE 28, 2000 60/214,458 SEPT 8, 2000 60/232,079 OCT 2, 2000 60/237,033 DEC 01, 2000 60/250,389 FEB 02, 2001 60/263,820
Application:	JUNE 26, 2001 09/891,757

December 15, 2001

RECEIVED  
U.S. PATENT AND TRADEMARK OFFICE

Office of Initial Patent Examination Customer Service Center  
 United States Patent and Trademark Office  
 Washington, DC 20231

Re: Noted error on Filing receipt "Notice to File Missing Parts"

Dear PTO,

Please find enclosed a letter from the PTO requesting replacement oath, drawings, amendment, and an additional fee of \$120.

I will address the "Notice of Missing Parts" in the order that it raises the issues:

1)\*\* Total additional claim fee(s) of this application is \$120. \$120 for independent claims over 3"

The \$120 payment is enclosed as I would not suffer a rejection by the PTO for that amount, but I cannot derive a method by which the fee was calculated. There is a \$120 fee for a late oath but that oath has been on the first and last page of every application you have received for me.

2) "A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date is required" The Application could have no application number until the PTO assign it so obviously I could not note it on the applications Oath but the PTO certainly could. PTO form SB01 has been included for your convenience. The signed oath has been on the first (and probably the last) page of every application you have received for me.

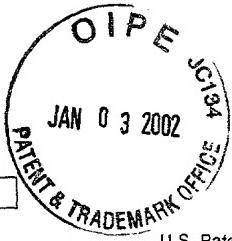
3)"Substitute Drawings in compliance with 37 CFR 1.84 because: drawing sheets do not have the appropriate margins. Each sheet must include a top margin of at least 1 inch, a left side margin of at least 1 inch, a right side margin of at least 5/8 inch, and a bottom margin of at least 3/8 inch" Perhaps the PTO reviewed the uncorrected drawings submitted on 9/16/2001. To my measure all drawings were in margin compliance as of that submission. The whole application is enclosed that no mix-up need occur again.

4) "Substitute Drawings in compliance with 37 CFR 1.84 because: drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible." I edited the bitmap drawings to remove any redundant or inappropriate legend that I could find , yet I am still at a lose as to how I should meet your criteria as it seems very subjective – I beg you not to tear the fruits of my labor from me on this issue – you may do this and there is nothing I can do about it except beg. Yes, the descriptive legend I have applied to the drawing is more descriptive than nominal. I have made several attempts to pair the verbiage but each cut has made the drawings much less than revealing. The methods employed by these devices are generally so devoid of prior art that the drawing seem undecipherable without a relatively rich legend. Surely, the application would be weaker if the legend were made nominal. Please accept these drawings.

5) "Fig 13 described in the specification . . . has been omitted." I did that intentionally is the claims supported by that drawing were not worth the cost of claiming and completing the drawing – so I removed the drawing. At your request I have removed the all references to that drawing, renumbered the drawings, and edited the references to match the new drawing numbers as is required by option "III" of the PTO's attached letter.

The sanitized application is enclose along with a check for \$120 ( which my children will sorely miss )

Thank you,  
 Russell P Davis



Please type a plus sign (+) inside this box →

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/891,757

Filing Date

06/26/2001

First Named Inventor

Russell P. Davis

Group Art Unit

Examiner Name

Attorney Docket Number

## ENCLOSURES (check all that apply)

- Fee Transmittal Form
- Fee Attached
- Amendment / Reply
- After Final
- Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
- Response to Missing Parts under 37 CFR 1.52 or 1.53

- Assignment Papers (for an Application)
- Drawing(s)
- Licensing-related Papers
- Petition
- Petition to Convert to a Provisional Application
- Power of Attorney, Revocation Change of Correspondence Address
- Terminal Disclaimer
- Request for Refund
- CD, Number of CD(s) \_\_\_\_\_

- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):  
*Cover Letter 1 page  
Notice of Missing 4 pages  
S 1301 2 pages  
Amended Application 102 pages*

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Russell P Davis

Signature

Russell P Davis

Date

12/16/2001

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

12/17/2001

Typed or printed name

Russell P Davis

Signature

Russell P Davis

Date

12/17/2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/891,757	06/26/2001	Russell Patton Davis	



Russell Patton Davis  
 613 Mango Dr.  
 Virginia Beach, VA 23432

01/17/2002 TV0111 00000003 09891757

01 FC:202 120.00 ~~DP~~

CONFIRMATION NO. 3807

## FORMALITIES LETTER



\*OC00000007161911\*

Date Mailed: 12/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

Adjustment date: 01/17/2002 TV0111  
 01/08/2002 AGDITOM 00000065 09891757  
 02 FC:197 ~~36.00 DP~~

FILED UNDER 37 CFR 1.53(b)

Adjustment date: 01/17/2002 TV0111  
 01/08/2002 AGDITOM 00000065 09891757  
 01 FC:202 ~~84.00 DP~~

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- Total additional claim fee(s) for this application is \$120.
  - **\$120 for 36 independent claims over 3 .**
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- **The balance due by applicant is \$ 120.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
  - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. ( 5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
  - drawings contain excessive text. Suitable descriptive legends may be used, or may be required by the Examiner where necessary for understanding of the drawing but should contain as few words as possible ( see 37 CFR 1.84(o));

The following item(s) appear to have been omitted from the application: 01/08/2002 AGDITOM 00000065 09891757

~~01 FC:202~~  
~~02 FC:197~~

~~84.00 DP~~  
~~36.00 DP~~

- Figure(s) **Fig 13** described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U.S. Patent and